



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, OPL, MNR, MNDC, FF; CNL, CNR, MNDC, RP, RR, FF

Introduction

This hearing was convened in relation to the landlord's application pursuant to the *Residential Tenancy Act* (the Act) for:

- an order of possession for landlord's use or unpaid rent;
- a monetary order for unpaid rent, and for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement;
- authorization to recover his filing fee for this application from the tenant.

This hearing was also convened in relation to the tenant's application for:

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the 10 Day Notice);
- cancellation of the landlord's 2 Month Notice to End Tenancy for Landlord's Use of Property (the 2 Month Notice);
- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement;
- an order to the landlord to make repairs to the rental unit;
- an order to allow the tenant(s) to reduce rent for repairs, services or facilities agreed upon but not provided; and
- authorization to recover his filing fee for this application from the landlord.

The tenant and the landlord both appeared. Neither party raised any issues with service. The parties agreed to a settlement in respect of both applications.

Analysis

Pursuant to section 63 of the Act, an arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the

hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

During this hearing, the parties reached an agreement to settle their disputes under the following final and binding terms:

1. The tenant agreed to withdraw his application.
2. The landlord agreed to withdraw his application.
3. The landlord agreed to withdraw the 10 Day Notice.
4. The landlord agreed to withdraw the 2 Month Notice.
5. The tenant agreed to provide possession of the rental unit to the landlord on or before one o'clock in the afternoon on 15 November 2015.
6. The landlord agreed he would not seek to collect the rent arrears.

Each party stated that he understood the terms of the agreement and agreed to them. The parties agreed that these particulars comprise the full and final settlement of all aspects of their disputes for both parties.

Conclusion

The tenant's application is withdrawn. The landlord's application is withdrawn. The landlord's 2 Month Notice is cancelled. The landlord's 10 Day Notice is cancelled.

The landlord is provided with a formal copy of an order of possession effective 15 November 2015. Should the tenant(s) fail to comply with this order, this order may be filed and enforced as an order of the Supreme Court of British Columbia.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under subsection 9.1(1) of the Act.

Dated: October 20, 2015

Residential Tenancy Branch